3/18/08 Bd. Mtg. Item 13
Recycle Water Policy
Deadline: 3/10/08 by 12 p.m.

WRD
WATER REPLENISHMENT DISTRICT
OF SOUTHERN CALIFORNIA

March 7, 2008

Ms. Jeanine Townsend, Clerk to the Board
Executive Office
State Water Resources Control Board
P.O. Box 100
Sacramento, California 95812-0100

RE: **Comment Letter – Proposed Recycled Water Policy**

Dear Ms. Townsend:

In response to the State Water Resources Control Board's (Board) Notice of Opportunity for Public Comment on a Revised Proposed Recycled Water Policy and Revised Draft Certified Regulatory Program Environmental Analysis issued on February 15, 2008, the Water Replenishment District of Southern California (District) is submitting the following comments for your consideration. The District currently utilizes 70,000 afy of recycled water for groundwater replenishment in the southern area of Los Angeles County and plans to use significantly more in the future. These comments are directed to those portions of the draft policy that pertain to groundwater recharge with recycled water. The District considers the use of recycled water to be absolutely vital for sustaining water supplies in the future and is appreciative of the Board's overall support for water recycling and its efforts to develop statewide consistency in this document.

On p. 9, IV. Narrative Toxicity Objectives, B., for constituents for which the California Department of Public Health (CDPH) does not have an MCL, a Regional Water Board may establish an effluent limit if certain conditions are met to protect against toxicity. The CDPH is responsible for establishing recommendations and requirements for groundwater recharge projects to protect public health. They are also currently developing draft groundwater recharge regulations that will update their criteria and conditions for future projects. Therefore, this section should be revised to clearly state that the Regional Water Quality Control Boards (RWQCB) will defer to CDPH for prescribing appropriate and adequate requirements for groundwater recharge projects to protect public health and not prescribe additional requirements. CDPH requirements are many and include strict water quality limits of the recycled water and diluent water, minimum retention times before the recycled water can be extracted from downgradient domestic wells, blending as needed, and very comprehensive monitoring of the recycled water and groundwater, both for regulated and unregulated chemicals, before it is extracted for domestic use.

This section is inconsistent with your Board Order No. WQ 2006-001, which was adopted on April 2, 2006. It rescinded effluent limits of chemicals with state Notification Levels, i.e. unregulated chemicals or chemicals with no MCLs, in Order No. R4-2005-061 for the Alamitos

Barrier Recycled Water Project. We request that this draft water recycling policy be consistent with this order.

Current water recycling permits contain comprehensive monitoring requirements for both regulated chemicals with MCLs and unregulated chemicals with no MCLs, such as pharmaceuticals and endocrine disrupting chemicals. Information obtained allows both the regulatory agencies and permittees to investigate further if the results of monitoring show that unregulated chemicals are present and, more importantly, are persisting. However, until unregulated chemicals have undergone the formal process to become regulatory standards, which includes a thorough review of health effects as well as consideration of technical and economic feasibility, it would be premature for RWQCB's to create unilaterally numerical limits for them in recycled water projects. To do so would undermine and preempt the responsibility and the efforts of the CPDH, who are charged with protecting public health in our drinking water supplies.

On P. 10, V.B. Groundwater Recharge Projects, the Regional Water Board shall require an evaluation of a project's potential change in geochemical equilibrium in an aquifer if there is concern that dissolution of toxic chemicals, such as arsenic, might occur. This creates uncertainty and may require all proposed projects to perform such an evaluation. This would be unnecessary and an added burden for proposed projects that intend to utilize blending and dilution. For these types of recharge projects, results of historical monitoring show no evidence of this occurrence.

The District also supports the comments of the WateReuse Association, who will be submitting their comments separately.

If there are any further questions, please contact me at 562 275-4245 or hng@wrd.org.

Yours truly,

Hoover Ng, P.E.
Water Quality Program Manager

C: Mary Grace Pawson, WateReuse Association
Roberta Larson, WateReuse Association, Legal Counsel